STATE OF NEW YORK

6190--B

Cal. No. 1088

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. MARTINEZ, BRESLIN, GAUGHRAN, KENNEDY, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to requiring background checks for certain for-hire vehicle driver or owner licenses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new article 17-D to read as follows:

ARTICLE 17-D

BACKGROUND CHECK FOR FOR-HIRE VEHICLE DRIVER OR OWNER LICENSES

Section 499-m. Background check for certain for-hire vehicle driver or owner licenses.

§ 499-m. Background check for certain for-hire vehicle driver or owner licenses. Prior to the issuance of a taxicab, limousine, commuter van, paratransit or for-hire vehicle driver or owner license for vehicles transporting nine or more passengers, the applicant for such license shall be fingerprinted by the licensing authority authorized to issue such license for the purpose of securing criminal history records from both the state division of criminal justice services and the federal bureau of investigation. The applicant shall pay any processing fee required by the state division of criminal justice services and the federal bureau of investigation. Fingerprints shall be taken of the individual owner if the applicant is a sole proprietorship; the general partners if the applicant is a partnership; the officers, principals,

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD07298-04-9

and stockholders owning more than ten percent of the outstanding stock of the corporation if the applicant is a corporation. An applicant or applicants shall be disqualified from obtaining a license if the criminal history records indicate convictions which would disqualify an applicant from driving a motor vehicle pursuant to section five hundred nine-c or any other provision of article nineteen-A of this chapter.

§ 2. Subdivision l of section 19-504 of the administrative code of the city of New York, as added by local law number 115 of the city of New York for the year 1993, is amended and a new subdivision s is added to read as follows:

l. Prior to the issuance of a commuter van license, the applicant shall be fingerprinted for the purpose of securing criminal history records from both the state division of criminal justice services and the federal bureau of investigation. The applicant shall pay any processing fee required by the state division of criminal justice services and the federal bureau of investigation. Fingerprints shall be taken of the individual owner if the applicant is a sole proprietorship; the general partners if the applicant is a partnership; the officers, principals, and stockholders owning more than ten percent of the outstanding stock of the corporation if the applicant is a corporation.

s. Prior to the issuance of a taxicab, limousine, commuter van, paratransit or for-hire vehicle driver or owner license for vehicles transporting nine or more passengers, the applicant shall be fingerprinted for the purpose of securing criminal history records from both the state division of criminal justice services and the federal bureau of investigation. The applicant shall pay any processing fee required by the state division of criminal justice services and the federal bureau of investigation. Fingerprints shall be taken of the individual owner if the applicant is a sole proprietorship; the general partners if the applicant is a partnership; the officers, principals, and stockholders owning more than ten percent of the outstanding stock of the corporation if the applicant is a corporation. An applicant or applicants shall be disqualified from obtaining a license if the criminal history records indicate convictions which would disqualify an applicant from driving a motor vehicle pursuant to section five hundred nine-c or any other provision of article nineteen-A of the vehicle and traffic law.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.